

Appln No. 10/734,931
Amdt date December 31, 2007
Reply to Office action of October 23, 2007

REMARKS/ARGUMENTS

Claims 1-22 and 33-47 are pending in the above-referenced application.

Claims 1, 18 and 19 have been amended to further define Applicant's invention.

This is a Response to the Office Action dated October 23, 07 wherein the Examiner rejected claims 1-12, 17-20, 33-43 and 47 under 35 U.S.C. 102(b) as being anticipated by Kulli (U.S. Patent No. 4,929,241) and claims 13-16, 21-22, and 44-46 under 35 U.S.C. 103(a) for obviousness over Kulli in view of Purdy et al. (U.S. Patent No. 5,215,528).

In view of the amended claims and the following remarks, reconsideration and a notice of allowance are respectfully requested.

INTERVIEW SUMMARY

A telephone interview was conducted on December 6th, 2007 between Examiner Phillip Gray and Applicant's undersigned attorney, Tom H. Dao, wherein the Examiner found Applicant's proposed amendments to independent claims 1, 18 and 19 to specify "the first resilient arm intersects the second resilient arm" patentably distinguishable over the cited references. The proposed amendment is fully supported by the specification.

Accordingly, Applicant has amended independent claims 1, 18 and 19 to include the limitation "the first resilient arm intersects the second resilient arm", thereby obviating the current prior art rejections as none of the cited references discloses this limitation. More specifically and as agreed in during the telephone interview, none of the cited prior art disclose a needle protector clip having two arms that intersect one another. All other claims depend from either claim 1, 18 or 19 and therefore should also be allowable over the cited references for at least the same reasons.

In view of the foregoing amendments and response, it is believed that the application is in condition for allowance and allowance is respectfully solicited.

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Objection to the Drawings

The drawings are objected as the Examiner contends that "there are two inconsistent copies of drawings filed on 5/16/2005, which contain differing depictions and handwritten substance matter, then the originally filed drawings."

Please note that the drawings submitted in the Supplemental Information Disclosure Statement dated May 12, 2005 are Applicant's own drawings dated April 20, 1999 and June 15, 1999. These drawings are NOT replacement drawings but are merely information for the IDS.

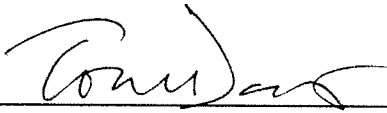
§102(b) and §103(a) Rejections

The rejection of claims 1-21, 17-20, 33-43, and 47 under §102(b) by Kulli and the rejection of claims 13-16, 21-22, and 44-46 under §103(a) by Kulli in view of Purdy et al. are obviated by the amendments to claims 1, 18 and 19.

Should the Examiner wish to speak with Applicant's attorney, he is invited to contact the undersigned at the telephone number identified below.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By 

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